

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

1997 AGENCY REPORT

for

Report of the Technical Subcommittee of the Canada-United States Groundfish Committee

prepared by Jane DiCosimo

April 1998

A. OVERVIEW

The Council has been moving towards comprehensive rationalization or limited access in North Pacific fisheries. The first step was implementation of the IFQ system in 1995 for sablefish and pacific halibut fisheries. The second step was implementation of a vessel moratorium on new entrants to groundfish and crab fisheries in 1996. The third step was implementation of a three year roll-over of the inshore-offshore allocations for pollock in the Bering Sea/Aleutian islands (BSAI) and Gulf of Alaska (GOA), and Pacific cod in the GOA through 1998. Included in that analysis was an extension of the pollock community development quota program through 1998. The fourth step is a license limitation system approved by the Council in 1995 for the groundfish fisheries in the BSAI and GOA and crab fisheries in the BSAI. Included in that analysis was an expansion of the CDQ program to include all groundfish and crab fisheries in the BSAI and a prohibition on the use of trawl gear east of 140° W. longitude in the Eastern GOA. Phase-in of crab CDQs began in early 1998, while implementation of the multi-species CDQ program is planned for late 1998. The license limitation program may be implemented in 1999 or 2000. The fifth step may be IFQs for pollock, but the Councils are prohibited by Congress from submitting additional IFQ plans to the Secretary until October 2001.

The following section describes the management actions taken in 1997 to manage the North Pacific groundfish fisheries.

B. MANAGEMENT ACTIONS

1) Bering Sea and Aleutian Islands Groundfish Specifications

The Council adopted final groundfish specifications for the 1998 Bering Sea and Aleutian Islands groundfish fisheries, including Acceptable Biological Catch (ABC), Total Allowable Catch (TAC), and Prohibited Species Catch (PSC) limits and apportionments. The Council recommendations for ABCs, TACs, and apportionments are listed in Table 1. Groundfish abundance in the Bering Sea and Aleutian Islands area remains relatively stable for most species.

The status of pollock in the Eastern Bering Sea remains relatively stable at the biomass level that produces maximum sustainable yield. Projected 1998 biomass of pollock in the Eastern Bering Sea stock was estimated at 5.82 million mt. The stock was estimated to have been 6.1 million mt in 1997. A strong 1996 year-class was observed in both the bottom trawl and hydroacoustic surveys.

For 1998, the Council recommended a 1,110,000 mt TAC for Eastern Bering Sea pollock, a decrease of 2% (20,000 mt) from 1997. Of the TAC, 45% is allocated to the roe season ("a") and 55% to the non-roo season ("B"). As with last year, the "a" season will begin on January 20 for the inshore fleet and January 26 for the offshore fleet. The "B" season will begin on September 1 for both onshore and offshore sectors, with a 7-day stand down provision for vessels fishing other groundfish seven days prior to September 1. The pollock TAC for the Aleutian Islands area was set at 23,800 mt, and 1,000 mt for the Bogoslof district (Area 518). The Council continues to recommend no directed fishing for pollock in the Bogoslof district. Based on a 7.5% allocation, the 1998 Community Development Quotas will be 83,250 mt for the Eastern Bering Sea and 1,785 mt for the Aleutian Islands areas.

The Council recommended a 210,000 mt TAC for Pacific cod, which was much lower than last year. This reduction was based on an observed biomass decline and a risk minimization analysis. Under the allocations of Amendment 46, 2% of the TAC will be reserved for jig gear, 51% for fixed gear (longline and pot gear), and 47% for trawl gear. The trawl apportionment will be split between catcher vessels and catcher-processors 50/50. For the fixed gear seasonal apportionment of Pacific cod, the Council recommends that 70,735 mt be released the first trimester (January 1 - April 30), 15,000 mt for the second trimester (May 1 - September 14), and 13,332 mt for the third trimester.

The total prohibited species catch (PSC) limit for herring (1,714 mt) is 1% of the estimated herring biomass in the eastern Bering Sea. Total PSC limits for other species are specified in regulations, but are seasonally apportioned among fisheries during the annual specification process. PSC limits for red king crab were 100,000 crab, and PSC limits for Tanner crab were 750,000 crab in Zone 1 and 2,100,000 crab in Zone 2. The Council again recommended that no PSC be apportioned to directed trawl fisheries for turbot, sablefish, or arrowtooth flounder. This recommendation essentially prohibits directed fishing for these species with trawl gear. The Council again recommended that pot gear, jig gear, and sablefish hook-and-line fisheries be exempt from the non-trawl PSC program for 1998.

2) Gulf of Alaska Groundfish Specifications for 1998

The Council approved Gulf of Alaska (GOA) overall ABC for 1998 of 549,030 mt, an increase of nearly 56,000 mt (roughly 11%) from the total 1997 ABCs of 493,050 mt. The TACs total 324,726 mt, an increase of nearly 15% over the 1997 TACs. Table 4 shows the complete ABCs and TACs for the GOA for 1998. Overall, the status of the stocks in the Gulf of Alaska continues to appear relatively favorable. ABC and TAC recommendations remain essentially unchanged from 1997 for flatfish and rockfish. Pollock increased from 79,980 mt to 124,730 mt (+56%) for 1998. An associated regulatory amendment was initiated to reapportion pollock in the Western and Central areas from the third to second trimester to address concerns for decreased availability of pollock for Steller sea lions. Sablefish declined by about 6% from 14,520 mt to 14,120 mt in 1998. The Council combined the sablefish ABCs for the West Yakutat and East Yakutat/Southeast Outside (EY/SEO) areas to allow for a reallocation of the 5% trawl allocation to West Yakutat due to the planned implementation of the trawl prohibition east of 140°W longitude approved under Amendments 39/41 (License Limitation). The fixed gear apportionment is 90% of the adjusted West Yakutat TAC and 100% of the adjusted EY/SEO TAC. The demersal shelf rockfish ABC declined from 960 mt to 560 mt due to new stock assessment methodology. The Atka mackerel ABC declined from 1,000 mt to 600 mt to better match bycatch needs.

The Pacific cod ABC dropped from 81,500 to 77,900 mt (-4%), while the TAC decreased from 69,115 mt to 66,060 mt due to the state fishery. The Board of Fisheries (BOF) initiated a state water Pacific cod fisheries in the GOA in 1997.

The final Prohibited Species Caps (PSC) limits for halibut in the Gulf of Alaska are set by gear type and may be apportioned seasonally over the fishing year. Since 1995, the combined halibut PSC limit for all fisheries and gear types has been 2,300 mt.

Trawl gear			Hook and Line		
1st quarter	600 mt	(30%)	1st trimester	250 mt	(86%)
2nd quarter	400 mt	(20%)	2nd trimester	15 mt	(5%)
3rd quarter	600 mt	(30%)	3rd trimester	25 mt	(9%)
4th quarter	400 mt	(20%)	DSR	10 mt	
2,000 mt			300 mt		

Beginning in 1994, PSC limits for trawl gear were further apportioned by specific fishery. Apportionments of the overall cap may be made to a 'shallow water complex' and a 'deep water complex.' Species in the shallow water complex are: pollock, Pacific cod, shallow water flatfish, Atka mackerel, and other species. Deep water complex species include: deep water flatfish, rockfish, flathead sole, sablefish, and arrowtooth flounder. The Council also approved halibut discard mortality rates for the BSAI and GOA recommended by IPHC staff.

<u>Quarter</u>	<u>Shallow water Complex</u>	<u>Deep water Complex</u>	<u>Total</u>
1	500 mt	100 mt	600 mt
2	100 mt	300 mt	400 mt
3	200 mt	400 mt	600 mt
4	No apportionment		400 mt

3) License Limitation and Multi-species CDQ Program

The Council's license limitation and multi-species CDQ program, approved by the Council in June 1995, was approved by the Secretary of Commerce on September 12, 1997. The crab CDQ program could be implemented in early 1998, the multi-species groundfish CDQ program by mid-1998, and the license limitation program by January 1999 at the earliest.

The Council also received an update from the Crab Reduction and Buyback (CRAB) Group's efforts to develop a license buyback program for the BSAI crab fisheries. The Council endorsed the efforts of this group and passed a motion to request the Secretary of Commerce to exercise the Secretarial authority in the Magnuson-Stevens Act to develop and implement this buyback program.

4) Inshore/Offshore 3

The Council developed a separate problem statement for the Bering Sea/Aleutian Islands and the Gulf of Alaska for the development of the amendment to establish inshore offshore allocations for pollock and Pacific cod. The list of management alternatives includes no action (inshore/offshore would expire at the end of 1998), status quo (this is a rollover of the current regime), and changes to the current percentage allocations, as well as possible sub-allocation within sectors, and changes to the Catcher Vessel Operational Area (CVOA). a detailed list of the alternatives selected by the Council is provided.

GOA Problem Statement:

Allowing the current Gulf of Alaska Inshore/Offshore allocative regime to expire December 31, 1998, would allow the same preemption of resident fleets by factory trawlers in the pollock and Pacific cod fisheries which occurred in 1989. It was this dramatic preemption which triggered the original proposal for an inshore/offshore allocation. In 1989, there was still pollock available in the Bering Sea when the preemption occurred when vessels moved into the Gulf to take advantage of fish with high roe content.

A rollover of the current Gulf of Alaska inshore/offshore program which allocates 100% of the pollock and 90% of the Pacific cod to shore-based operations is a proactive action to prevent the reoccurrence of the original problem.

BSAI Problem Statement:

The current inshore/offshore allocation expires at the end of 1998. The Council thus faces an inevitable allocation decision regarding the best use of the pollock resource. Many of the issues that originally prompted the Council to adopt an inshore/offshore allocation (e.g., concerns for preemption, coastal community dependency, and stability), resurface with the specter of expiration of the current allocation.

The current allocation was made on the basis of several critical assumptions including utilization rates, foreign ownership, the balance between social gains and assumed economic losses to the nation, and the nature of progress on the Council's Comprehensive Rationalization Program (CRP) initiative. Many of these assumptions have not been revisited since approval of the original amendment. It is not clear that these assumptions hold or that the Council and the nation are well-served by continuing to manage the pollock fishery without a reexamination of allocation options. The Magnuson-Stevens Act presents the Council with a new source of guidance to evaluate national benefits. In the context of Council deliberations over Inshore-Offshore 3, this includes enhanced statutory emphasis on increased utilization, reduction of waste, and fishing communities.

There have also been substantial changes in the structure and characteristics of the affected industry sectors including number of operations, comparative utilization rates, and out migration and concentration of capital. These changes are associated with issues, including: optimization of food production resulting from wide differences in pollock utilization; shares of pollock harvesting and processing; discards of usable pollock protein, reliance on pollock by fishing communities; and decrease in the total allowable catch of pollock. In addition, changes in fishing patterns could lead to local depletion of pollock stocks or other behavioral impacts to stocks which may negatively impact Steller sea lions and other ecosystem components dependent upon stock availability during critical seasons.

Therefore, the problem facing the Council is to identify what allocation would best serve to ensure compliance with the new Act and address the issues identified above.

Alternatives for Analysis:

Alternative 1: No action.

Alternative 2: Rollover existing inshore/offshore program, including:
 GOA pollock (100% inshore) and Pacific cod (90% inshore) allocations
 BSAI pollock (35% inshore, 65% offshore) allocation
 suboption a: 1-year rollover
 suboption b: 3-year rollover

Alternative 3: Allocation range (BSAI only) of following percentages:

Option:	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Inshore sector	25	30	40	45
True Motherships	5	10	10	15
Offshore sector	70	60	50	40

Option: Establish a reserve set aside for catcher vessels less than 125 feet. The range considered for this set aside is 40-65% of the inshore and "true mothership" sector quotas. This range is based on the percentage of harvest that these smaller catcher vessels accounted for between 1991 and 1996.

Allocations would be analyzed such that the True Motherships (which could operate in the BSAI only) would be looked at as a sub-component of either the inshore or offshore component or as a separate component.

Option: Nine to 15% of the offshore quota shall be reserved for catcher vessels delivering to catcher processors. This is in addition to the allocation that catcher vessels may receive under the "True Motherships" and Inshore sectors.

The definitions provided by staff for the Inshore, Offshore, Catcher Vessel, and True Mothership sectors will be used in this analysis. These same definitions were used in the sector profiles developed for the Council, and presented at the September meeting. Those breakdowns include:

Catcher Vessels:

- < 125' Length Overall (LOA)
- 125' through 155' LOA
- > 155' LOA

Inshore Processors:

- Surimi Capability
- No Surimi Capability

Catcher Processors:

- Surimi Capability
- No Surimi Capability

True Motherships:

a vessel that has processed, but never caught, pollock in a "pollock target" fishery in the BSAI EEZ.

Also included as options under Alternative 2 and Alternative 3:

1. Catcher vessel operational area (CVOA) Issues:
 - a. Keep the CVOA as currently defined.
 - b. Restrict catcher/processors from operation in the CVOA during both the a & B season with an examination of allowing motherships to operate in the CVOA exclusively as well as excluding them from CVOA.
 - c. Repeal the CVOA.
2. Sunset Issues:
 - a. No sunset date, but intended to serve as an interim measure until the Comprehensive Rationalization Program has been completed.
 - b. 3-year sunset.
3. The analysis will identify and examine potential conservation impacts on fish stocks, marine mammals and other marine resources that may result from status quo, or any changes in the structure of the fishery as well as other recommendations made by the SSC in their June 1997 meeting.

CDQ Program:

A separate amendment to the Bering Sea groundfish fishery management plan that will incorporate Bering Sea pollock into the multi-species Western Alaska Community Development Program will be analyzed outside of the inshore/offshore analysis. This separates the CDQ allocation from I/O-3, as recommended by NMFS.

Alternatives for CDQ analysis shall include:

Alternative 1: Status quo. (Existing pollock CDQ program expires at the end of 1998)

Alternative 2: 7.5% of the Total Allowable Catch of the Bering Sea pollock fishery is allocated to the program.

5) Improved Retention and Utilization

The Council took final action to approve plan amendments for an improved retention and utilization (IR/IU) program for the Gulf of Alaska groundfish fisheries. The program essentially mirrors the Bering

Sea/Aleutian Islands program already approved by the Council - retention and utilization of pollock and Pacific cod will begin January 1998, concurrent with the BSAI program. Requirements for flatfish species will come on line in 2003. One of the issues discussed regarding the IR/IU programs is the ability to determine whether such requirements will actually result in avoidance of “bycatch” species.

6) VIP Standards

The Council approved Vessel Incentive Program (VIP) rate standards for the second half of the 1997 fishing year. VIP standards are established for halibut and crab Prohibited Species Catch (PSC) for all trawl fisheries in both the BSAI and GOA. The grouping for VIP fishing categories and approved standards are the following:

	<u>Fishery</u>	<u>PSC Species</u>	<u>Current Standards</u>
BSAI	mid-water pollock	halibut	1.0 kg halibut / mt of groundfish
BSAI	bottom pollock	halibut	5.0 kg halibut/ mt of groundfish
BSAI	yellowfin sole	halibut	5.0 kg halibut / mt of groundfish
	red king crab	2.5 crab / mt of groundfish	
BSAI	other trawl	halibut	30.0 kg halibut / mt of groundfish
	red king crab	2.5 crab / mt of groundfish	
GOA	mid-water pollock	halibut	1.0 kg halibut / mt of groundfish
GOA	other trawl	halibut	40.0 kg halibut / mt of groundfish

7) Observer Program

In December 1997, the Council reviewed the analysis for the “third party” modified pay-as-you-go observer program, based on a joint partnership agreement (JPA) between NMFS and the Pacific States Marine Fisheries Commission (PSMFC). Under this arrangement, PSMFC would contract with the existing observer contracting companies for observer services, and industry would go to the PSMFC for all observer coverage needs, thereby establishing PSMFC as an interface between the observer contracting companies and the vessels and plants which carry those observers. The Council approved the document for public review and comment, with the intent of taking final action in February 1998.

Observers have recently unionized and have successfully completed collective bargaining with the contracting companies. Increased costs for observer coverage in 1998 and beyond will be one result of this effort, primarily due to higher wages for observers. Renewed interest in a fee-based funding mechanism prompted the Council to also approve redevelopment of such a fee-based system, patterned after the revoked Research Plan. The new fee-based mechanism would address and resolve the issues which caused a repeal of the Research Plan two years ago. This program will take considerable time to develop over 1998 and 1999, such that the year 2000 is the target date for implementation. Direct, pay-as-you-go funding would continue under the JPA arrangement through at least 1999.

8) Reporting Requirements

The Council took final action to approve technical changes to the recordkeeping and reporting requirements for the groundfish fisheries off Alaska. The following changes would be made to the requirements, effective in 1998:

- (1) all motherships would be required to submit State of Alaska fish tickets;
- (2) a figure depicting Pacific halibut IFQ regulatory areas;

- (3) formalize a policy into regulations affecting an exemption from recordkeeping and reporting requirements for catcher vessels that catch groundfish in a crab pot that will be used as bait;
- (4) revise the term “reporting area” to include EEZ, state, and international (donut hole) waters;
- (5) remove the requirement to record the start date, end date, and trip number of a fishing trip from catcher/vessel weekly production log (WPL) catcher/processor daily cumulative production logs (DCPL), and instruction manuals;
- (6) add option to mothership and shoreside processor DCPL and WPR to facilitate the reporting of product transferred for reprocessing, and;
- (7) move maintenance and storage of logbook sheets from the Observer Program office in Seattle to NOAA Enforcement Division in Juneau.

9) Groundfish Supplemental Environmental Impact Statement (SEIS)

In March 1997, NMFS announced its intention to prepare a supplemental environmental impact statement (SEIS) on Alaska groundfish management to provide full disclosure of available information on environmental impacts of fishery regulations. Specifically, they intend to examine the Federal action by which total allowable catch (TAC) specifications and prohibited species catch limits are established and apportioned in the BSAI and GOA groundfish fisheries. Scoping meetings have been scheduled to provide for public input into the range of actions, alternatives, and impacts that the SEIS should consider. The final report will be forwarded to the Council in 1998.

10) Atka Mackerel Jig Gear Allocation

In December 1996, the Council adopted for analysis a proposal from the Unalaska Native Fishermen’s Association for a 2% allocation of Atka mackerel to jig gear. Such an allocation would provide more opportunity to the local small vessel jig gear fleet. Under the existing management program, directed fishing for Atka mackerel closes to all vessels, including those that fish with jig gear, when the overall quota is reached.

At its June meeting, the Council approved a jig gear allocation of Atka mackerel in the BSAI fishery. The action recommends an allocation of 1% of the Atka mackerel TAC in the Eastern Aleutian Islands/Bering Sea sub area. Once the jig gear fleet takes its 1% allocation, their allocation will increase to 2% for future years. If approved by the Secretary, the jig gear allocation will be in place for 1998.

11) Gulf of Alaska (GOA) Trip Limits

The Council received a report from the Trip Limit Committee and set short and long term goals to address the conservation (TAC overruns) and preemption problems in the GOA pollock and Pacific cod fisheries. Two meetings have been held by the trip limit committee since it was formed after the June 1997 Council meeting. Based on committee input, the Council analyzed two management options at its December meeting. Final action is scheduled for early 1998.

- a 48-hour stand down period when a vessel switches between the BSAI and GOA. The 48-hour stand down applies to vessels moving from the BSAI into the GOA and vice versa.
- Require vessels to pre-register in an area before they are allowed to participate. The intent of this option is to give NMFS more information on the effort in a fishery which would reduce the chance of TAC overages in an area.

12) Pelagic Shelf Rockfish

The Council recommended removal of black and blue rockfishes from the Gulf of Alaska fishery management plan. The State of Alaska would assume management of those two species. The Plan Team and Alaska Department of Fish and Game had recommended this action to better manage these nearshore species. The Council requested that updates of State management and research efforts for these rockfish be provided to the Council during the annual joint meeting of the Council and Board of Fisheries.

13) Magnuson-Stevens Act Provisions

The Sustainable Fisheries Act added many new requirements to the Magnuson-Stevens Act. Fishery management plans must be amended to identify essential fish habitat, and take actions to minimize the impacts of fishing on the habitat. FMPs must also include provisions to report bycatch and develop management measures to minimize bycatch and reduce economic discards. Toward this end, the Council has issued a call for proposals for ways to address this requirement. FMPs may need to be further amended to meet new criteria for overfishing definitions and stock rebuilding. The Council may be required to prepare additional regulations for catch measurement, that may include weighing of catch. Numerous other requirements of the Act (SOPPS, Russian fishing report, loan program, full retention, CDQs, etc.) are also being addressed.

The IFQ/CDQ fee program, and the associated North Pacific Loan Program, are mandated by the recently reauthorized Magnuson-Stevens Act. a report from NMFS indicates that the fee program, which will charge up to 3% of ex-vessel value of IFQ/CDQ species, could be in place sometime in 1998 and may be able to collect fees on 1998 landings of those species. The Loan Program, which uses 25% of the IFQ fees collected to underwrite small vessel and entry level purchases of IFQ, could be operational in 1998 depending upon Congressional appropriation of funds via the 1998 federal budget.

The North Pacific Loan Program was scheduled to be submitted to the Secretary of Commerce by October 1, 1997. The loan program will use funds generated from the IFQ fee program to underwrite federal loan obligations for entry level and small boat fishermen wishing to purchase IFQs for the sablefish and halibut fisheries. The underlying fee program, which is the source of funding for the loan program, will not be implemented until 1999 according to NMFS. a Congressional appropriation of \$100,000 in FY 1998 resulted in numerous loans being issued.

14) Forage Fish Protection

The Council adopted an amendment to prevent development of commercial fisheries for forage fish. Forage fish are an important ecosystem component, and are prey for marine mammals, seabirds, and commercially important fish species. Recent changes in predator abundance have raised concerns that forage fish may require additional protection. Forage fish include capelin and a host of other forage species such as euphausiids (krill). Herring are already protected by regulations, so they were not included in the forage fish category. The amendment will establish a 2% maximum retainable bycatch amount in other directed fisheries and prohibit the selling, bartering, trading, or receiving any other remuneration for forage fish species. However, within the 2% limit, forage fish may be reduced to fish meal and sold.

15) Essential Fish Habitat

The Magnuson-Stevens Act amendments call for the Secretary to make recommendations to the Council on the description and identification of essential fish habitat (EFH), for the Councils to amend their fishery management plans accordingly, and for the Councils to add provisions to the plans that will minimize to the extent practicable the impacts of fishing on the habitat. The Councils have until October 1998 to submit their

EFH amendments. The NMFS recently extended the comment period on the Proposed Rule for EFH guidelines until July 8.

The Alaska Region's essential fish habitat Core Team met in May to discuss how to prepare the EFH amendment and establish a plan to accomplish this objective. The EFH Core Team is proposing that the work be accomplished in two phases, with the initial phase to describe and identify EFH, and a later phase to amend the plans as necessary to minimize to the extent practicable any fishing impacts on EFH. To accomplish phase one, technical teams were established to prepare an essential fish habitat assessment for each fishery management plan. EFH assessments will be similar in structure to the stock assessment and fishery evaluation reports in that there would be a separate chapter, drafted by assessment authors, for each target species complete with text, tables, and maps. The EFH assessments will be available to the public and form the scientific basis for EFH recommendations by the EFH Core Team.

16) Steller Sea Lion Update

The U.S. population of Steller sea lions, which was estimated at 190,000 adults and juveniles 30 years ago, declined by 64% to less than 69,100 by 1989. The majority of this decline occurred in Alaska between the Kenai Peninsula and Kiska Island in the Aleutians. As a result of this precipitous decline, the species was listed as threatened in 1990, pursuant to the Endangered Species Act (ESA). More recent information suggests that the population has continued to decline about 8% annually. Population modeling has predicted that the Kenai-Kiska population will be extinct within 100 years if the trend continues. As a result of this continuing decline, the Kenai-Kiska population (west of Cape Suckling, 144°) was reclassified as endangered effective June 4, 1997. A threatened listing is being maintained for the remainder of the U.S. population.

This reclassification is not expected to have immediate impacts on fisheries management. However, the recovery factor used in calculating the Potential Biological Removal (PBR) for this species is being reevaluated. The current PBR is 766 Steller sea lions based on a recovery factor of 0.3. Annual takes of Steller sea lions between 1991 and 1995 have averaged 35 sea lions in all fisheries combined. Groundfish fisheries have been responsible for an annual average of 14 incidental takes over that same period. Annual subsistence takes have averaged 412 animals between 1993 and 1995. If the PBR recovery factor is reduced to 0.1, incidental takes in fisheries may be significant and trigger management actions under Sections 101(a)(5)(E) and 118(c)(1)(a) of the Marine Mammal Protection Act. Staff contact is Dave Witherell.

The NMFS aerial survey of Steller sea lions, conducted during June 1997, found a 10.3% decrease in adults and juveniles at trend sites from 1996 to 1997, based on preliminary analysis. Since 1996, numbers have decreased in the central Gulf of Alaska and eastern Aleutian Islands, but have remained relatively stable in the western Gulf of Alaska. The decrease in numbers at eastern Aleutian Islands trend sites reverses a general pattern of increases observed in this area since 1989.

17) Halibut and Sablefish IFQs

The Council revised regulations to modify the IFQ program for halibut and sablefish. During its January 1997 annual meeting, the IPHC approved a method for setting Area 4 subarea quotas based on an estimation of biomass for each subarea using catch-per-unit-effort and habitat area estimates for Areas 4A, 4B, and combined Areas 4C-4E. The IPHC deferred implementing these apportionments until 1998 to allow the Council time to amend its catch sharing plan (CSP), which apportions these subarea quotas based on historical allocations. The Council approved a regulatory change to remove Area 4A and 4B from its catch sharing plan which apportions the total Area 4 quota. In January 1997, the International Pacific Halibut Commission informed the Council that it would be setting Area 4A, 4B, and combined Area 4C-E subarea quotas based on a revised biomass method. The Council will continue to apportion the IPHC's Area 4C-E quota into individual subarea apportionments (4C: 46.42%; 4D: 46.42%; and 4E: 7.14%). If approved by the Secretary, this change will be in effect for the 1998 IFQ season.

It changed the requirements so that new QS holders must hold a 20% minimum interest in vessels for quota share (QS) holders wishing to hire skippers to harvest their QS. The Council also grandfathered QS holders who had employed a hired skipper on or before April 17, 1997 to continue to use a hired skipper at the ownership level they had used prior to April 17, 1997. Any QS holder grandfathered under this provision will lose those grandfather rights if they purchase or otherwise acquire ownership or control of additional QS after September 23, 1997. Upon approval by the Secretary of Commerce, this change would be implemented for the 1998 IFQ season.

The Council received an IFQ Enforcement report on the status of enforcement presence in the Alaska IFQ fisheries. Because of budget limitations, there is a serious manpower shortage to cover all the landings. The Council is discussing the development of a weighmaster program for monitoring IFQ offloadings, similar to the Canadian validator program. NMFS will prepare an implementation plan for a weighmaster program in 1998 for possible implementation in 1999.

Phil Smith, Chief of the NMFS Restricted Access Management Division, provided a season wrap-up report of the 1997 halibut and sablefish IFQ fisheries. His report is available from the Council office and the NMFS bulletin board. NMFS also commissioned the Alaska Commercial Fisheries Entry Commission to provide two updated reports of the 1996 halibut and sablefish IFQ fisheries. These are entitled, "Changes Under Alaska's Halibut IFQ Program, 1996" and "Changes Under Alaska's Sablefish IFQ Program, 1996." These updates will be available from the Council office and the CFEC bulletin board in early January.

The Council analyzed a program of rolling area closures in the groundfish fisheries during the sablefish longline survey. The Council scheduled final action in September 1998 so it may receive a report from NMFS on the success of the reordered survey sequence to minimize survey/fishery interactions and the additional year of voluntary compliance by the fishing industry.

NMFS implemented a central lien registry for the IFQ program, requested by lending institutions and the fishing industry.

18) Halibut Charterboat Management

Based on an analysis of the commercial, sport, and guided halibut fisheries and extensive public testimony, two actions were taken by the Council which will impact the halibut charterboat fishery.

1. Recordkeeping and reporting requirements. Participants in the halibut charterboat industry will be required to fill out performance reports in the future. Information collected by ADF&G on these reports will include catch figures, location of catch, number of clients, residence information, ownership of the vessel, and the identity of the operator. Additional information may also be collected. This recordkeeping and reporting process will be developed through the Alaska Board of Fisheries (BOF) and ADF&G, and may be implemented as early as 1998.
2. Guideline Harvest Levels (GHL) in IPHC Areas 2C and 3A. Guided sport will be allocated 12.76% of the combined commercial and guided sport halibut TAC in area 2C, and 15.61% of the 3A TAC. a GHL was not set in any IPHC area west of 3A. The GHL rate was based on the guided sport fleet receiving 125% of their 1995 catch. Guideline harvest levels will not shut the fishery down, but will be used as a gauge to trigger other measures, such as reduced bag limits.

The halibut charterboat industry will be managed to maintain a stable charter season of historic length, using statewide and zone specific measures. These measures will be developed in cooperation with the Alaska Board of Fisheries and the regional charter industry representatives and submitted to the Council for review and approval. When end-of-season catch data indicate that the guided sport industry may reach or exceed the GHL in the following season, NMFS would implement the pre-approved measures to slow down guided

sport harvest. Based on the analysis provided to the Council, this approach is not expected to come into play for several years. a review of these halibut charterboat regulations shall be considered by the Council in October 2000.

In addition to the specific actions outlined above, the Council adopted a framework for developing local area management plans using the joint Council/BOF protocols. Local area plans could be developed through local BOF advisory groups and submitted to the BOF for review, but would ultimately require Council approval for implementation. a variety of management measures, up to and including moratoriums on participation, could be implemented through the local plans. a proposed action would create a local area management plan for Sitka Sound was scheduled for final action by the Council in early 1998.

Upon review of the Council's action, NMFS informed the Council that the guideline harvest level (GHL) for the halibut guided sport (charterboat) fleet for Areas 2C and 3A approved by the Council in September, will not be published as a regulation until the Council recommended the specific management measures NMFS should implement if the GHL were reached. The Council's intent will be met by publishing the GHL as a notice in the Federal Register. It would have no restrictive or constraining effect on the guided sport fishery, but would formally announce the Council's intent to establish measures to maintain the guided sport fleet at or below the GHL. To that end, the Council announced the formation of a halibut charterboat committee. The committee is tasked to report to the Council at the April 1998 meeting on management measures to keep the charter fleet under the GHL.

19) Halibut Subsistence

The Council reviewed and revised an analysis to create and define a halibut subsistence category in federal regulations. It deferred final action until December 1998 to allow for the State and Federal agencies to address subsistence for all fish and game in Alaska except for Pacific halibut, prior to Council action. Pacific halibut is managed jointly by the Council, IPHC, and NMFS. The Council felt that many in the public were confused about management jurisdiction over halibut and delaying action until after the December 1998 deadline for federal take-over of subsistence in Alaska was the best course of action.

The Council did take final action on one aspect of the analysis that affected the commercial Community Development Quota halibut fishery. The Council approved changing the commercial fishing regulations to allow CDQ fishermen to retain undersized halibut (<32 inches) to take home as food fish while commercially fishing their CDQ halibut QS in Western Alaska (Area 4E only, which is 100% CDQ) (Alternative 2, Option 4, Suboption B and Alternative 3, Option 3, Suboption B). That change will be in effect for the 1998 fishing season if approved by the Secretary.

20) Seabird Avoidance

The Council approved requiring gear modifications, seabird avoidance devices, or changes in fishing methods designed to reduce the incidental mortality of seabirds while fishing for groundfish and Pacific halibut with hook-and-line gear in U.S. Convention waters off Alaska. The following measures would apply to all vessels using hook-and-line gear for Pacific halibut.

All applicable hook-and-line fishing operations would be conducted in the following manner:

- a. Use hooks that when baited, sink as soon as they are put in the water. This could be accomplished by the use of weighted groundlines and/or thawed bait.
- b. Any discharge of offal from a vessel must occur in a manner that distracts seabirds, to the extent practicable, from baited hooks while gear is being set or hauled. The discharge site onboard a

vessel must either be aft of the hauling station or on the opposite side of the vessel from the hauling station.

- c. Make every reasonable effort to ensure that birds brought aboard alive are released alive and that wherever possible, hooks are removed without jeopardizing the life of the bird.

Vessels less than 26 ft LOA using hook-and-line gear in the Pacific halibut fishery and the GOA and BSAI groundfish fisheries would be exempt from the following measures:

All applicable hook-and-line fishing operations would be required to employ one or more of the following seabird avoidance measures:

- a. Set gear between hours of nautical twilight (as specified in regulation) using only the minimum vessel lights necessary for safety;
- b. Tow a streamer line or lines during deployment of gear to prevent birds from taking hooks;
- c. Tow a buoy, board, stick or other device during deployment of gear at a distance appropriate to prevent birds from taking hooks. Multiple devices may be employed; or
- d. Deploy hooks underwater through a lining tube at a depth sufficient to prevent birds from settling on hooks during deployment of gear.

21) Donation to Food Banks

The Council approved submitting plan amendments to the BSAI and GOA FMPs to the Secretary to authorize a distributor to coordinate the donation of halibut taken as bycatch and landed at specified shoreside processing sites in the Alaska trawl fisheries to economically disadvantaged individuals through a tax-exempt, authorized distributor selected by NMFS. This amendment would require a NMFS-authorized distributor to issue Halibut Retention Permits to vessel operators and processors to authorize the donation of halibut caught as bycatch in the groundfish trawl fisheries to economically disadvantaged individuals. The NMFS-authorized distributor(s) would be determined by the Regional Administrator under a halibut donation program.

C. LOGBOOKS

1) Halibut charterboat logbook

As part of its recommendations of actions affecting the halibut charter industry, the Council approved development of recordkeeping and reporting requirements. Participants in the halibut charterboat industry will be required to fill out performance reports beginning in 1998. Information collected by ADF&G on these reports will include catch figures, location of catch, number of clients, residence information, ownership of the vessel, and the identity of the operator (Appendix I). Additional information may also be collected. This recordkeeping and reporting process will be developed through the Alaska Board of Fisheries (BOF) and ADF&G.

2) Halibut commercial fleet logbook

For 1998, all United States commercial vessels 26 feet and over fishing for halibut are required to keep the halibut log information in one of the following three logbooks: the NMFS catcher vessel

daily fishing logbook, Alaska hook-and-line sablefish logbook, or the logbook issued by IPHC (Appendix II). The IPHC-issued logbooks are available from the Seattle office of the International Pacific Halibut Commission, and are currently the green hard-covered books the Commission has provide for many years. They will also be available during the fishing season from IPHC port samplers, NMFS Enforcement, and the U.S. Coast Guard.